

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SEMICONDUCTOR LASER AND PRODUCTION METHOD THEREOF

Case No. P99, 2099, the specification of which

(check
one) is attached hereto.
 was filed on _____ as
 Application Serial No. _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and I believe that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as identified below:

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below

| Prior Foreign Application(s) | Number | Country | Date |
|------------------------------|--------|---------|------|
|------------------------------|--------|---------|------|

| | | |
|------------|-------|-------------------|
| P10-351623 | Japan | December 10, 1998 |
|------------|-------|-------------------|

and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the above listed application on which priority is claimed:

| Prior Foreign Application(s) | Number | Country | Date |
|------------------------------|--------|---------|------|
|------------------------------|--------|---------|------|

¹ (S) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

If no priority is claimed, I have identified all foreign patent applications filed prior to this application:
Prior Foreign Application(s)

And I hereby appoint Messrs. John D. Simpson (Registration No. 19,842), Dennis A. Gross (24,410), Robert M. Barrett, (30,142), Steven H. Noll (28,982), Kevin W. Guynn (29,927), Robert M. Ward (26,517), Brett A. Valiquet (27,841), Edward A. Lehman (22,312), David R. Metzger (32,919), Todd S. Parkhurst (26,494), James D. Hobart (24,149), Melvin A. Robinson (31,870), John R. Garrett (27,888), Paula J. Kelly (37,624), John W. Cornell (30,619), Robert J. Depke (37,607), Joseph P. Reagen (35,332), Michael R. Hill (35,902), Michael S. Leonard (37,557), William E. Vaughan (39,056) and , Lewis T. Steadman (17,074), all members of the firm of Hill & Simpson. A Professional Corporation

Telephone: 312/876-0200 Ext. 3491

my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to:

Hill & Simpson
A Professional Corporation
85th Floor Sears Tower, Chicago, Illinois 60606

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor MASAKAZU UKITA

Inventor's signature Masaharu Ueda Date November 21, 1971
Residence KANAGAWA, JAPAN
Citizenship JAPANESE
Post Office Address C/O SONY CORPORATION 7-35, KITASHINAGAWA
6-CHOME, SHINAGAWA-KU, TOKYO, JAPAN

Full name of second joint inventor,
(if any) _____

Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address C/O SONY CORPORATION 7-35, KITASHINAGAWA
6-CHOME, SHINAGAWA-KU, TOKYO, JAPAN

Full name of third joint inventor,
(if any) _____

Inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address C/O SONY CORPORATION 7-35, KITASHINAGAWA
6-CHOME, SHINAGAWA-KU, TOKYO, JAPAN



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231

MARCH 16, 2000

PTAS



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**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/09/1999

REEL/FRAME: 010453/0306
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

UKITA, MAZAKAZU
SONY CORPORATION
7-35, KITASHINAGAWA 6-CHOME
SHINAGAWA-KU
TOKYO, JAPAN

DOC DATE: 11/24/1999

ASSIGNEE:

SONY CORPORATION
7-35, KITASHINAGAWA 6-CHOME
SHINAGAWA-KU
TOKYO, JAPAN

SERIAL NUMBER: 09457133
PATENT NUMBER:

FILING DATE: 12/09/1999
ISSUE DATE:

SEDLEY PYNE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RECORDED ON 03/16/2000
U.S. PATENT AND TRADEMARK OFFICE

12-28-1999

FORM PTO-1595

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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

MAZAKAZU UKITA

Additional name(s) of conveying party(ies) attached?

 Yes No

3. Nature of conveyance:

| | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other | |

Execution Date November 24, 1999

2. Name and address of receiving party(ies):

Name: Sony Corporation

Internal Address: _____

Street Address: 7-35, Kitashinagawa 6- ChomeShinagawa-KuCity: Tokyo, Japan State: _____ Zip: _____Additional Name(s) & Address(es) attached Yes NoJCS11 U.S. PRO
12/9/99/457133

12/09/99

4. Application (number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: November 24, 1999

A. Patent Application No.(s)

Attorney Docket P99,2099

B: Patent No.(s)

09/457133

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Hill & Simpson, P.C.

85th Floor Sears Tower
233 S. Wacker Drive
Chicago, IL 60606

6. Total number of applications and patents involved

1

7. Total Fee (37 CFR 3.41) \$ 40.00 Enclosed Authorized to be charged to deposit account any Additional fees

8. Deposit Account Number:

08-2290

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John Simpson
Name of Person Signing

Signature

December 8, 1999

Date

Total number of pages comprising cover sheet: 2

Mail documents to be recorded and required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

12/20/1999 BNGUYEN 00000059 09457133

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ASSIGNMENT

WHEREAS, I, as a below named inventor, residing at the address stated next to my name, am a sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of certain new and useful improvements in SEMICONDUCTOR LASER AND PRODUCTION METHOD THEREOF

for which application for Letters Patent of the United States of America was executed by me on the date indicated next to my name and address;

AND WHEREAS, Sony Corporation, a Japanese corporation with offices at 7-35 Kitashinagawa 6-Chome, Shinagawa-Ku, Tokyo, Japan (hereinafter referenced as ASSIGNEE) is desirous of acquiring all interest in, to and under said invention, said application disclosing the invention and in, to and under any Letters Patent or similar legal protection which may be granted therefor in the United States and in any and all foreign countries;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, as a sole or joint inventor as indicated below, by these presents do hereby assign, sell and transfer unto the said ASSIGNEE, its successors, assigns, and legal representatives, the entire right, title and interest in the said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights and/or convention rights under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and to any other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, and I hereby authorize and request the Commissioner of Patents to issue the said United States Letters Patent to said ASSIGNEE, as the assignee of the whole right, title and interest thereto;

And I further agree to execute all necessary or desirable and lawful future documents, including assignments in favor of ASSIGNEE or its designee, as ASSIGNEE or its successors, assigns and legal representatives may from time-to-time present to me and without further remuneration, in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to properly execute and deliver and without further remuneration, such necessary or desirable and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention, as the ASSIGNEE thereof shall hereafter require and prepare at its own expense;

And I further agree that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to me and will testify as to the same in any interference or litigation related thereto;

And I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

And I hereby authorize and request my attorney(s) of record in this application to insert the serial number and filing date of this application in the spaces that follow: Serial Number: _____, Filing Date: _____

This assignment executed on the dates indicated below.

MASAKAZU UKITA

Name of first or sole inventor

KANAGAWA, JAPAN

Residence of first or sole inventor

Masakazu Ukita

Signature of first or sole inventor

November 24, 1999

Execution date of U.S. Patent Application

November 24, 1999

Date of this assignment